



North West
Branch

CI Arb

THE CHARTERED INSTITUTE OF ARBITRATORS

NEWSLETTER

Summer 2011

CHAIRMAN'S INTRODUCTION



Why not come along to one of our meetings?

If you would like to know more please do contact me personally and I will be delighted to see how I can assist you to get more out of your membership.

Any questions?

Email me at ian.williams@adventpm.co.uk or telephone 01248 679 266 or 07889 082 182

Ian Williams FRICS, FCI Arb, Dip Arb, FInstCPD, Accredited Mediator

EDUCATION IN ALTERNATIVE DISPUTES RESOLUTION - THE NEXT GENERATION OF ADR PROFESSIONALS

A significant element of the civil lawyer's knowledge is in dispute resolution procedure.

Whilst the early part of acquisition of such knowledge by trainee lawyers is typically focussed on litigation and the courts the significance of arbitration and the various ADR procedures should not be under-estimated by those training in the law.

The emphasis on, and pressure towards, ADR by the Civil Procedure Rules 1998, together with exposure of a party to costs in litigation in the event of intransigence towards ADR in the resolution of civil disputes, is significant evidence of the importance of same and, as a corollary, the need for the civil lawyer to acquire an appreciation and understanding of procedures other than litigation to achieve their clients' objectives.

As the leading professional body in both arbitration and ADR the Chartered Institute of Arbitrators probably ought to be the 'first stop' for aspiring civil lawyers to acquire the essential part of their armoury that ADR represents. Knowledge of ADR is a necessary part of the skill of thinking laterally, towards proffering best advice to assist clients to resolve disputes. A blinkered litigation-only mentality, is not likely to result in best advice being given. Timing, timescales, the level(s) of costs, limitations on scope of the various fora/tribunals and trauma to individuals are all relevant.

The North-West branch of the Chartered Institute provides education and training by way of seminars and dinner-meeting speakers who are invariably eminent practitioners - counsel, commercial solicitors, members of the judiciary, arbitrators, adjudicators, mediators, etc.. Most of these meetings take place along the Chester / Manchester corridor, often in the evenings.

Law students from the College of Law in Christleton, Chester and the various universities in the region will be made welcome should they wish to attend any of these Branch meetings.

Should further information in respect of the North-West Branch of the Chartered Institute, its educational meetings, student membership of the Chartered Institute, etc. this can be pursued by contacting either Mr. Ken Salmon or Mr Simon McKenny, the Joint Education Chairmen.

Mike Hawkyard mhawkyardandco@btinternet.com

FROM THE EDITOR

In this Summer edition of the Newsletter:-

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Details of the 2011/ 2012 programme, dinner events and contact details for all committee members.

Branch Website

<https://ciarb.org/north-west/>

- **Current news** relating to the Branch and Chartered Institute affairs.
- **Articles**
- **Branch Committee** – who's who, mug-shots, contact details.
- **Check forthcoming branch events**

ian.williams@adventpm.co.uk or
phone 01248 679 266

If you would like to contribute to the next newsletter or offer any feedback please contact:-

John Price
Honorary Editor
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A Quick Introduction to Social Media

(Ian Williams)

A Quick Introduction to Social Media

Social Media is the general term used for digitally engaging with the community at large using a variety of different types of websites. There are many different types of social networks and some are more famous and popular than others. Examples of social media sites are MySpace, Digg, Flickr, Bing, YouTube etc but for the purpose of the first of these series of articles for the Branch Newsletter we start with articles about Twitter:



Different social media have different uses, strengths, weaknesses and advantages. Twitter can be referred to as a 'real-time' social networking site – a place for sharing information as it happens and for connecting with others in real time, often making lasting friendships and contacts. It is a fact that social media is having a major impact on the way society communicates with each other on both a personal and business level and it is also influencing where we go to, what to buy, what to read, who to follow (more about that later) and can also be used for research and educational purposes.

If you think it's just for kids – well it's not! Whilst you are reading this, there are probably thousands of people in your locality – your potential customers – using social media. If your target market is between the age of 25 and 45 then they're using Social Media in their thousands. The fastest growing segment on Facebook in 2010 was the over 50's!

Generally, social media is free!

As you get accustomed to using the software it is relatively easy to engage with people via Twitter, LinkedIn and Facebook and turn them into paying customers (daunted? Well don't be – hey, remember when email was new! You got used to that didn't you?).

Most businesses in the UK are either not using Social Media at all or else are dabbling with it because they don't know what to do or just downright think it's not relevant to them – wrong!

Why is this thinking wrong? Well, those businesses that are using Social Media properly are getting ahead of their competitors, are growing more quickly and have far better relationships and reputations with their customers.

Twitter summary: It's a great 21st century social phenomenon and where you can see celebrities and politicians mixing it up with normal folk. Why not give it a go!

An introduction to Twitter



So what's this little blue bird all about then?

Twitter lingo - as you already know birds tweet. A message you send or receive on Twitter is also called a '**Tweet**' but there is one very important rule – the message (or tweet) has a maximum of 140 characters per message. I find this really makes me think about what I am saying in my tweets & the fact I have to keep it to a max 140 characters keeps it focused. (By the way that last sentence is exactly 140 characters – note the use of the '&' which saves a few letters!). If you wish to include a hyperlink in your message e.g. a website link, often these are long and will rapidly gobble up your 140 characters so you can use a specialist 3rd party software to drastically shorten links e.g. bit.ly.

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Twitter Timeline – sometimes also referred to as a Twitter stream (waterfall would be a better term!). When you log on to the home page on your twitter account, this is where all tweets appear (newest at the top, hence the waterfall effect). You will see tweets from persons that you follow, plus any re-tweets that your followers have sent of other people they follow - or they may even be re-tweets of your messages.

Follow and be Followed! A follower is another person who uses twitter and who:-

- Is interested in what you have to say or who you are or
- can relate to your type of business; or
- can relate to your specialist interest
- and so on....

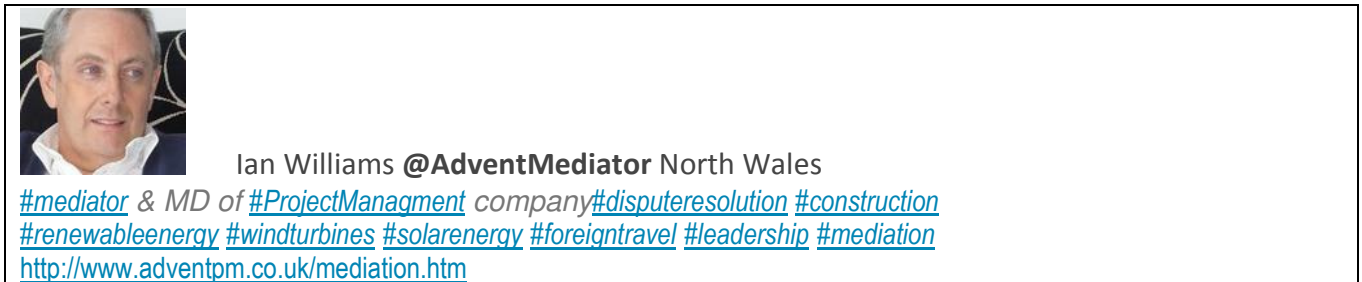
so they will then follow your tweets by linking up to your account. Every time you send a tweet it will be seen by that person and all of your other followers. Someone who tweets is sometimes called a Tweep (but I don't like that word very much). When one of your messages gets repeated by a **follower** (a bit like forwarding an email) – the message is said to have been 'Re-Tweeted'. A follower can choose to re-send your tweet (or you can re-tweet their message). Maybe you will follow them back or you may decide to follow someone who follows them and so on - this is how the community grows. Unless you are a major celebrity and will attract followers because of who you are or what you stand for, then following others is the only way your fan base will grow. You can send private messages to those you follow by sending them a **Direct Message** (links for this appear in the twitter timeline). You are also able to follow people via the web, SMS/texts, via a mobile website (more on this below) and via a third-party application that links to your twitter account (more on this as well below). **Tip:** thanking someone for re-tweeting your message is good etiquette and is an excellent opportunity to strike up a conversation and engaging with your followers. **Tip:** there is a "who to follow" suggestions button on twitter which could assist you to start following until you get the hang of it.

Business or pleasure? this article assumes that you will use Twitter on a personal as well as business basis. This is why...I bet you don't like to be continually marketed to and although there are no strict rules, there is a school of thought that suggests you should create the correct balance between business and personal tweets. **Tip:** Try to get a nice balance between what may be business and what may be personal but which is still an interesting message for your followers. **Tip:** your tweets should be about YOU your business and what you are getting up to with your business (not hard-selling but just talking about what you are doing) and your other tweets will be replies to people (after all you are looking to engage with your followers). People who only tweet about 'what they are selling' and 'why you should buy from them' either don't get followed or if they do they become boring and tend to get quickly un-'followed'. Messages such as "how are you today?" are often generally ignored but a message such as "I'm off to buy a Blu-Ray player – any suggestions on make & model?" or tweeting a relevant quote such as one I sent recently "The most important thing in communication is to hear what isn't being said-PeterDrucker. So true in #Mediation" [note the hash-tag for mediation which makes it searchable] may well probably attract more attention or induce a response. Also, don't be afraid to use humour! A tweet I saw earlier today went like this "the lady next door but one has lost her personality!!! and sense of **humour**!! so if anybody finds them please return them a.s.a.p cheers."

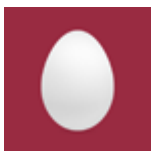
Why use Twitter? – as suggested above, if you are serious about your business not being left behind by your competition, Twitter is quickly becoming a 'must be seen on it' medium. It is possible to spread your messages across a number of platforms such as a tweet also appearing in your LinkedIn timeline but for now let's stick to getting started on Twitter, you can always link up the other social media platforms later when you're feeling a bit more confident. We've all got to start somewhere, so do have a good think about what your target market is likely to be. Perhaps you will follow similar professionals e.g. lawyers, accountants, barristers, etc but the next layer down might be newspapers that cover the law, professional institutions, speciality authors, etc. I've often discovered that breaking news tweets from News channels often appear on Twitter before they appear on the TV! Try and have a balance of non-business followers as well, such as friends and family (you may be very surprised at the people you know on a social level that have already got a Twitter account!).

Getting started – go to www.twitter.com and set up a **free** account for yourself and complete your personal details. Your username can be either your name or something relevant to your business. My username is **AdventMediator** which is a mixture of Advent (my company's name) and also lets everyone know I am a Mediator. **Tip:** try and keep your username short since if you get re-tweeted (RT'd) the number of characters in your username uses up the 140 character limit.

This is my Profile:



Here you will see that I have a photograph of myself along with my name (my Avatar). Some business may elect to use a company logo but since I use Twitter for both social and business purposes, I chose to use a photograph. You can elect to keep your social and business tweets separate but then you will need two or more accounts and this will increase the administration and may delay your growth of following and relevance. **Tip:** one big turnoff for me are those who don't bother to use a photo of themselves or their logo (or something that is specific to them) and stick with the Twitter default avatar which looks like this.....



(boring!!!!!!!!)

Underneath my Avatar you will see my twitter username (@Advent Mediator) note the @ sign which is very important. When the @ sign is placed in front of a username (no space!) it will direct your tweet to that person. Everyone following you will also see the tweet. If '@username' re-tweets your message their followers will then see it as well. This is the power of twitter because 'someone' following '@username' may well think 'hey that tweet by [you] was quite interesting so I will now follow [you] and your following then increases. **Tip:** if you come across an interesting tweet, then go right ahead and re-tweet the message because it is all about sharing knowledge and information (& sometimes funny things too!).

My selection of words in my profile largely relate to my interests and what I may want to be discoverable in searches. I describe:

- my position in the business;
- my business interests e.g. MD, mediator, project management;
- sectors of my business e.g. mediation, renewable energy & construction;
- my interests e.g. foreign travel and leadership (as I am currently doing a leadership course)

that is, all things that are specific to me. I finish off the profile with a web-site link to my business. **Tip:** Try and make your profile specific to your interests and what and why you want people to discover you if they undertake a hash-tag search but don't have your @username.

At your desk and on your mobile - To access your account, there are a host of applications which you can use. Obviously there is the Twitter.com website through to other popular sites such as e.g. Hootsuite or Seismic (a useful site if you want the ability to have all your social media accounts open in one place). With the right software you needn't be restricted to just using a twitter application on your desktop computer and many twitter applications are now available for all the different smartphone platforms. There are alternatives available such as for example Tweetie, Twitterific and Tweetdeck on the iPhone, Twidroid and Hootsuite on Android and TinyTwitter and Twitterberry for the Blackberry platform. Some applications are available on more than one platform. Depending on your phone, you may need to experiment before you finalise on the software you feel the most comfortable with or meets your needs.

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I indicated earlier in this paper that I use Twitter as an educational reference source (to follow people that tweet about leadership & management and I read articles associated with all of the hash-tag topics in my profile. I frequently forward interesting tweets to my Outlook email account to review at a more convenient time. Alternatively, if I see a tweet I wish to permanently save I send it to my Evernote account (see www.Evernote.com, also available for free).

To automate or not? – Automating your tweets is a useful and time-saving way to ensure your messages get into the twitter timeline without you having to be available to physically type them each time. As with twitter applications there is a variety of software available to assist you with this but it is best to get familiar with tweeting before delving in to this advanced area. Maybe this can be covered in a future article if it is of interest? [let us know!].

What else can I use Twitter for? In addition to marketing and communicating you can add your location to your tweets, tweet your photos (e.g. I follow Haydn Jenkins who tweets as @Snowdonia_Life and who posts links to some of the most fantastic photographs of wildlife & landscapes in Snowdonia – check it out!), you can tweet links to your blogs or news page on your website, you can carry out a people or topic search and as mentioned above you can get your tweets to appear in your LinkedIn account as well.

Tip: remember to update your profile regularly – adapt it as you and your business adapt or your circumstances change (e.g. renewable energy and leadership were not included when I set up my very first profile).

Tip: it's not all about the number of followers! Some people get fixated by the number of followers they have. What's the point in having 500 followers of which 20 of them are irrelevant to you and your business. It is better to have a smaller number of followers but who are relevant to your business sector or your specialism – these are your potential customers! 5 Re-Tweet's may prove more worthwhile than 500 followers that will never buy your services.

Tip: look out for the Twitter logo buttons on websites you frequent or are of specific interest to you



I hope this introduction to Twitter will spur you on to start tweeting but do remember as with everything in life, you only get out of it what you put in!

And finally..... if you are already using Twitter do let me know, and if you're not, but have enjoyed this article and decide to have a go at Twitter, please do drop me a line (ian.williams@adventpm.co.uk) or of course, send me a tweet!

Ian Williams FRICS, FCIArb, DipArb, FInstCPD, Accredited Mediator

Branch Chairman – CIArb North West Branch

Mediation – an Update

By Mark Mattison

Mediation is flavour of the month with our new coalition government.

When the court civil procedure rules were introduced by Lord Woolf, he emphasised that litigation should be seen as a remedy of last resort. Ever since, the pressure on litigants has been steadily increasing to force them to use alternatives to the court system to resolve their disputes.

In this country a national mediation helpline (NMH) is presently in operation funded by the government. Litigants are encouraged to phone the helpline and are offered mediation at a nationally agreed rate. Mediators are appointed on a rota basis from qualifying mediator providers. The Civil Mediation Council accredits and monitors the qualifying mediator providers.

The government funding for the NMH is going to run out later this year, so this scheme is likely to cease in the near future.

A government paper on civil justice has recently been published. Proposals out for consultation include increasing the small claims limit from £5,000 to £15,000- or even higher. Currently court employed mediators offer free mediation for claims up to £5,000. For claims above

that figure there would be a similar service offered by local mediators at modest cost.

As regards fast track cases up to a value of £100,000 there would be a requirement to have a meeting with a mediator to discuss the suitability of the case for mediation.

We now have compulsory mediation for certain elements of family disputes and I guess that it will only be a matter of time before we see compulsory mediation introduced in other areas.

Other countries are making mediation compulsory. Italy is one such country and the lawyers there are up in arms and are threatening a strike for a day in protest.

The Civil Mediation Council held its annual conference in Manchester on May 10. The title of the conference was “*Mediation-Seizing the Moment*”. Jonathan Djanogly MP, the government spokesperson responsible for mediation was one of the keynote speakers. All the above matters were addressed.

It is clear that, whatever the outcome of the consultation process, Mediation is going to continue to play an ever greater role in the judicial process in this country.

LAW NOTE

CHANGING EXPERTS - RETAINING PRIVILEGE IN EXPERTS' REPORTS

Experts are frequently instructed pre-action to advise or report on technical matters. An employer or contractor might instruct an architect or engineer about building defects; or a programmer, over a claim for delay or disruption; or a quantity surveyor over value or variations.

If the employer or contractor instructs the expert other than through a lawyer, (in house or external), there is no privilege in the report or advice given. It may have to be disclosed to an opponent in later proceedings in court or in arbitration. This pitfall is avoided and privilege retained, by instructing the expert through lawyers.

In relation to proceedings in court there are ‘pre-action protocols’ and ‘practice directions’ that require a co-operative approach and provide for the exchange of information before proceedings are commenced. If a party instructs an expert to prepare a report for the purpose of proceedings it will be privileged and need not be disclosed to an opponent if not later relied on in the proceedings. But there is a significant exception to this general rule as was explained in the recent case of *Edwards-Tubb v JD Wetherspoon PLC [2011] EWCA Civ 136 (25 February 2011)*.

A claimant was injured at work. Before taking proceedings against his employers his lawyers gave notice (under the Pre-action Protocol for Personal Injury Claims) of the names of three surgeons they might instruct as expert. There being no objection, they instructed one of them, J, to provide an expert report. The report was not disclosed to the employers nor was it later relied upon by the claimant.

CHANGING EXPERTS - RETAINING PRIVILEGE IN EXPERTS' REPORTS CON'TD

Later the claimant started proceedings and served them together with a report from a surgeon, K. (who was not one of the three previously named experts). There were issues over the extent of the injury and the employers sought disclosure of the previous expert (J)'s report.

As a condition of granting the claimant permission to rely on K's report, the court had discretion to order disclosure of J's report. The claimant argued this power was limited to a change of expert after the issue of proceedings.

The argument reached the Court of Appeal who said J's report must be disclosed as a condition of changing the expert. There was no difference in principle between a change of expert instructed for the purpose of proceedings pre-issue and a change of expert only instructed, for the same purpose, post-issue.

The Civil Procedure Rules were concerned with experts instructed to report "for the purpose of proceedings" (CPR 35.2). This created a distinction between an expert who was instructed to advise a party privately and one instructed to provide a report for court proceedings. In the latter, but not the former, case there was a formal duty to the court.

The court went further. Disclosure of the previous expert's report, as a condition of permission to change expert, was to be regarded as the 'usual' order. The court should not be deprived of the opportunity of hearing from or considering the contribution of a previous expert. Once a party embarked on the pre-action protocol procedure of obtaining co-operation in selecting experts, there was no justification for not disclosing the report from the chosen expert. The court must retain control over the information available to it and discourage 'expert shopping'.

However, where a party decided to take expert advice pre-protocol, 'at his own expense', there was no similar justification for compelling him to waive privilege if he later chose to instruct another expert. An expert not instructed to write a report for the court was outside CPR 35.2.

Comment

Though concerned with personal injury this case has implications for all types of court actions in which experts are used and to which pre-action protocols apply including, not least, the construction industry. To avoid the risk of being required to disclose possibly damaging earlier reports, a party seeking expert opinion should:

- 1) always instruct the expert through a lawyer; and*
- 2) instruct the expert as an adviser and not a court expert, and this will best be done before embarking on any pre-action protocol process that involves decisions about expert evidence, or otherwise making it clear that the expert is instructed as adviser outside that process.*

Even so, dangers remain. First, the costs of obtaining advice that is not later relied on or disclosed may not be recoverable from an opponent in subsequent proceedings. Second, an expert retained first and foremost as adviser, with no duty to the court, may not retain sufficient independence or authority to later be transformed into and relied on as a court expert. There may be ways round these problems e.g. where the expert is retained initially on an advisory basis but careful measures are put in place to preserve his/her independence.

March 2011.

Weightmans LLP

WAVE POWER

As the wind blows across the sea, energy is passed from the wind to the water, forming waves. The power of a wave is determined by its height, speed, length and density, which in turn are determined by the wind speed, the “fetch” (the distance over which the wind excites the waves) and the depth and topography of the sea floor. The world’s temperate zones have the greatest potential for wave power, and the prevailing winds are the strongest in winter.

Wave energy is produced without burning carbon fuels and without emitting waste products and could easily supply the world’s demand for electricity if it could be harnessed economically. The difficulty is in harnessing that energy and converting it into electricity in commercial quantities. It has been suggested that 20-25% of UK electricity demand could come from wave power by 2050. Various technologies have been proposed for harnessing wave power, generally along the following lines.

Pelamis Wave Energy Converter

This technology comprises a connected line of semi-submerged floating hinged tubes which flex as waves pass. The long thin profile produces low drag in the water. The flexing action causes hydraulic fluid to be pumped through the hinges, which in turn drives electrical generators and the electricity is fed along cables on the sea floor and into the national grid. The first experimental wave farm was opened in Portugal in 2008 but it shut after two months due to technical problems. One planned for Scotland will be the world’s biggest and another is proposed for Cornwall. There have been particular difficulties in developing the high pressure bi-directional hydraulic transmission needed to harness the energy.

Wave Chambers

One of the most effective methods of harnessing wave energy comprises an air chamber containing water that rises and falls with the action of the waves. Air is forced in and out of a hole at the top of the chamber as the waves go up and down. A turbine placed in the hole is turned by the pressure of the air rushing in and out, which in turn drives a generator. The only commercially operating wave farm in the United Kingdom is Wavegen’s plant on Islay, which consists of a wave capture chamber set into the rock face, into which waves force water,

which is compressed and decompressed, driving the turbine, producing 500 kilowatts for the Island’s grid.

Wave buoys

With a wave buoy, the floatation portion of the buoy undulates with the waves. Inside the buoy, an electrical coil surrounds a magnetic shaft. The coil is secured to the buoy and the shaft is anchored to the sea floor. Waves cause the coil to move up and down relative to the fixed magnetic shaft, inducing voltage and generating electricity, which is carried by an undersea cable linked to the shore.

Spain plans an alternative pilot scheme in the Bay of Biscay with 10 buoys, based on an existing scheme off the coast of Hawaii. A sensor optimises the power in differing waves and switches the generator off when wave activity is too strong, to avoid damaging the equipment. Although this technology will not operate during calm periods or storms, it offers greater availability than wind or solar energy.

Problems

Some waves are too small to drive generators properly, some are too big and the generators must be switched off to avoid damage. The biggest problem is making the structure sufficiently substantial to withstand the pressures, and then anchoring it to the sea floor so as to withstand the roughest conditions at sea. As a result, some prototypes have been so over-engineered as to be prohibitively expensive to produce. Salt-water corrosion is also a problem. There have been further difficulties with capital costs and funding – funders want proof that a system has actually been shown to work. Planning objections from local residents tend to focus on noise and aesthetics, and on the impact on roads leading to the site.

TIDAL POWER

The moon’s gravity causes the oceans to bulge along an axis pointing directly at the moon. The rotation of the earth causes the rise and fall of tides. Tides move huge amounts of water twice every day, but converting that energy into useful electricity is not easy. A tidal swell can be up to 30 feet, or even more where the tide is funnelled into a river estuary or a fjord. There are said to be 8 possible sites in the United Kingdom, mostly in river estuaries, and about 20 other sites around the world.

Tides are more predictable than wind and inexhaustible within a human time frame. However, the tidal cycle is based on the period of revolution of the moon (24.8 hours) and demand for electricity is based on the period of revolution of the sun (24 hours) and therefore the energy cycle is not in phase with demand. Furthermore, tidal power only exists when the tide is actually flowing in or out, which is about 10 hours of each day. Nevertheless, the DTI hopes that 10% of the UK's electricity needs can be met by tidal power.

There are two main ways to harness tidal energy: the erection of a barrage which traps water, either across a river or inside a lagoon, where the water flowing out drives turbines, similar to a hydroelectric dam; and the kinetic energy of currents as the tide ebbs and surges.

Tidal Barrage

A huge barrage is built across a river estuary or a bay to form a lagoon, acting in the same way as a hydro-electric dam. The tide comes in, fills a basin, and when the tide goes out, sluice gates on the barrage are shut and the water is gradually released through tunnels in the barrage, driving turbines as it flows out, or pushing air through pipes, which turns turbines. If necessary, there may be lock gates to allow ships to pass through the barrage. With a river (but not with a lagoon) there is also water flowing in from the river itself when the tide is out. As a further variation, some prototypes have allowed power to be generated as the tide moves in both directions, although such equipment is less efficient.

The main problem is that the barrage causes silt to build up around it, changing the ecosystem due to the altered flow of water. The barrage will also restrict the flow of water out to sea, and pollutants will be less efficiently disbursed, which may have a severe effect on the local environment. Many rivers are used for carrying sewage out to sea, and the sewage will hang around a lot longer if the tide does not go out as far or as quickly as it used to. There will also be a reduction in mud flats as the tide does not run out as far as it used to and this will have an impact upon birds, fish and other wild life. Barrages are

also extremely expensive to build. However, they have the advantage that their generators and transmitters are always above the water, and once in place running costs are low. A Barrage can boost tourism and roads can run across the top of the barrage, saving time in crossing of the bay.

The Severn Estuary is the most promising site in the United Kingdom. The largest tidal power station in the world, and the only one in Europe, was built at La Rance Estuary in the North of France in 1966.

Tidal Currents

Another possibility involves turbines beneath the surface of the water. These are much cheaper to build than barrages, they are suitable for a wider range of sites and they have none of the environmental drawbacks of a tidal barrage. The turbines are submerged out of sight and have less impact on the environment. They are best sited in shallow water, where the sea is forced to speed up as it moves.

The turbines operate on a horizontal axis in the same way as wind power turbines. There may be one turbine, or two on each side of a piled vertical tower. Water flows through the turbines, which are connected to a gearbox and a generator. However, water is 800 times denser than air and therefore the turbines experience much greater forces, and far smaller turbines are required than for wind power. One plant is operational at Kvalsundet in Norway.

Turbines must either be able to generate power as the tides come in AND out, or be able to switch off while they are not in use. The technology is still in its infancy, but once installed it will provide electricity with very low maintenance and running costs. The turbines are said to have a 35 year life span, but capital outlay is a stumbling block and there are long pay-back periods. Also, fish can be sucked in through turbines; dedicated fish passages have failed to alleviate the situation and research into sonic guidance of fish is ongoing.

Daniel Brawn Daniel.brawn1@btinternet.com

THE CHARTERED INSTITUTE OF ARBITRATORS

Membership Benefits

A prestigious secondary qualification

CIArb is the world's leading professional body that offers ADR professionals credibility through qualifications and recognition

- members are able to progress to Chartered or Accredited status – the ultimate accolade for practitioners
- recognisable post-nominal letters ACIArb, MCIArb, FCIArb

Training and development

CIArb – setting the global benchmark in dispute resolution

- continuing professional development (CPD)
- education and training opportunities
- conferences, seminars and other events
- professional networking and social events
- panel membership for Presidential appointments

Access to information and knowledge

CIArb offers members a range of professional advice and guidance

- dispute resolution advice service
- free subscription to The Journal
- global website www.ciarb.org
- newsletters including The Resolver and NewsWatch
- books for purchase at discounted rates for members
- free weekly Linex Legal alerter service (worth £100)
- access to the CIArb's library, now situated at the Maughan Library, Kings College London

Networking opportunities, locally and internationally

CIArb membership offers a global dispute resolution community

- a worldwide network of members, Branches and Chapters
- online networking and discussion fora
- Special Interest Groups (SIGs)
- opportunities for active involvement

Additional benefits

CIArb member products and services – most with discounted rates

- hearing and meeting facilities at 12 Bloomsbury Square, London
- education and training and other events
- books and other member affinity schemes
- advertising

For UK tax payers who pay their own professional fees: remember you are eligible to claim tax relief against the full annual subscription fee, via the annual tax return or by completing the claim form P358 available from local tax offices.

If you have any questions or for further details about membership services, please contact the membership team: E : membership@arbitrators.org T : +44 (0)20 7421 7490



North West
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THE CHARTERED INSTITUTE OF ARBITRATORS

NORTH WEST BRANCH

Annual Dinner

on Thursday 3rd November 2011

venue: ***The De Vere Daresbury Hotel, Warrington, Cheshire***

[The Hotel can be found on the M56 Junction 11 –access to the Hotel is via the Daresbury Business Park]

This year's Guest Speaker is:

Rosemary Jackson QC

Rosemary was called to the Bar in 1981 and has been a practising barrister since joining Keating Chambers in 1983 as the first woman at the English Construction Bar. She specialises in the field of construction and engineering contract law and professional negligence, including advice and advocacy in relation to litigation and arbitration, adjudication and mediation.

Whilst formal in nature, the Dinner provides a very relaxed and most enjoyable atmosphere for both ladies and gentlemen.

Early booking is recommended.

Guests are very welcome and a discount is offered for bookings of whole tables of 10.
Individual bookings are of course warmly welcomed.

Please contact the Hotel directly on 01925 267331 to reserve overnight accommodation. Neither organisers/Branch Committee of the Chartered Institute of Arbitrators will be responsible for any direct bookings made. Individuals or companies will be responsible for settling their own account(s)

.....
ANNUAL DINNER - 3rd November 2011 Dress Code: Black Tie Time: 7.00 for 7.35pm

Please make a reservation for table(s) at the price of £540.00 (£45 + £9 VAT) per table of ten.*

Please make a reservation for place(s) at the price of £60.00 (£50 + £10 VAT) each.*

* delete as appropriate

I/We requirevegetarian meal(s).

The price per person includes complimentary wine (3 bottles on each table), pre-Dinner reception drink and VAT.

My/Our cheque for £..... made payable to "The CI Arb North West Branch" is enclosed.

NAME (please print):.....Tel No:.....

ADDRESS:.....

E-mail address:.....

(Note: Please retain a copy of this form for receipt purposes. No receipts/acknowledgements or tickets will be issued). VAT No 681429029

Please return to: **Mark Mattison, 1 Woodhead Road Hale Altrincham Cheshire WA15 9JZ**

Telephone 0161 4085390 Mobile 07831302797 e-mail: mark@markmattison.co.uk

<https://ciarb.org/north-west/>

EVENTS PROGRAMME 2011

DATE	EVENT	SPEAKERS	HOSTS/VENUE
8 September 2011*	CI Arb North West Committee Meeting		Knowles Office, Daresbury Park
22 September 2011	CIOB/CI Arb Joint Event The New Construction Act	Eric Mouzer Ken Salmon	The Lowry Manchester (subject to confirmation)
3 November 2011	Annual Dinner	Rosemary Jackson QC	Daresbury De Vere
24 November 2011	NES3 Reviewed	Charles Tomlinson	Daresbury De Vere

EVENTS PROGRAMME 2012

DATE	EVENT	SPEAKERS	HOSTS/VENUE
19 January 2012	Adjudication and Arbitration Surgery		Daresbury De Vere
5 March 2012	AGM and Dinner		Daresbury De Vere
15 March 2012	Joint Event "International Arbitration – How can domestic arbitration benefit from its success	Addleshaws Partner Glyn Owen	Addleshaws, Manchester
17 May 2012	Mediation Surgery		Daresbury De Vere
Oct 2012	Adjudication under the New Act	A member of Keating Chambers [TBC]	

* If any NW Branch member would like to attend the committee meeting as an observer and to get to know the committee, please contact Ian Williams at ian.williams@adventpm.co.uk.

We are considering holding a "How to use LinkedIn properly" event – if you would like further details please e-mail your interest to ian.williams@adventpm.co.uk.

NW BRANCH COMMITTEE DETAILS (ALL COMMITTEE MEMBERS TO UPDATE DETAILS TO JOHN PRICE AS APPROPRIATE)

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